

REPORT TO EXECUTIVE

PORTFOLIO AREA: Community Involvement

Date of Meeting: 28th October, 2002

Public

Key Decision: Yes

Recorded in Forward Plan: No

Inside/Outside Policy Framework

Title: ELECTORAL PILOT SCHEMES

Report of: Town Clerk and Chief Executive

Report reference: TC 211/02

Summary:

The Report sets out details of an invitation from the Office of the Deputy Prime Minister to participate in Electoral Pilot Schemes in the local elections in May 2003 or any by-election during 2003. Under the Council's Constitution, the decision to apply to run a pilot is reserved to the full Council.

Recommendations:

The Executive is requested to consider whether to recommend the Council to participate in the programme of electoral pilots in May 2003, and, if so, to indicate its preferred scheme so that officers might prepare a detailed application to the Office of the Deputy Prime Minister based on the agreed preference (or preferences).

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1 Introduction

- 1.1 The Government has invited all local authorities with elections in May 2003 to apply to run pilot schemes to try out new electoral procedures. Applications must be submitted by **29th November**.
2. The Executive is asked to decide whether it would wish the Council to participate and, if so, to indicate its preference for the type of innovation it would like to pilot.
3. Elections will take place in 18 wards of the City on 1st May, 2003 – in the twelve urban wards, together with Burgh, Dalston, Irthing, Longtown and Rockcliffe, Lyne and Stanwix Rural. Twenty-six parishes also have elections on the same day. Some 69,000 electors will be eligible to vote.

2 Background

2.1 The Representation of the People Act 2000 (Section 10) allows local authorities to run pilot schemes to experiment with alternative voting arrangements at local elections with the aim of re-engaging electors with the democratic process. All schemes need the prior approval of the appropriate Secretary of State (currently the Deputy Prime Minister).

2.2 The first pilots were undertaken in 2000 when thirty-two local authorities ran a total of thirty-eight different pilots at the May elections. The Local Government Association's evaluation of those schemes found that it was difficult to come to an overall judgement about the success of the pilots. While they were welcomed by those electors who made use of them, they cost local authorities money and resulted in an increase in turnout only where votes could be cast by post. Postal voting, however, appeared to be more expensive than the conventional system and gave rise to concerns about possible electoral fraud. Pilots were not conducted in 2001 because they are not permitted if parliamentary and local government elections are held on the same day.

2.3 At the 2002 local elections, there were a further thirty schemes, encompassing a broad range of innovations. As required by law, the Electoral Commission has evaluated the 2002 pilots and concluded that

- the pilots successfully increased the opportunity for voting;
- they secured significant increases in turnout in some areas (particularly with all-postal voting);
- there were no significant technical problems;
- there was no evidence of fraud, although there were some significant public anxieties about the potential for fraud.

3 Strategy for Electoral Modernisation

3.1 In building upon the experiences and lessons of the previous pilots, the Government now wishes to identify those aspects of the electoral and e-voting processes which remain untested, or are in need of further testing, and ensure they feature in the current or future pilot exercises. The Government's strategy for electoral modernisation includes the medium term aim that sometime after 2006 there would be an e-enabled general election. It is envisaged that voting in such an election would be by electronic means – including internet, by touch telephone, text messaging, digital TV and electronic balloting at polling stations – as well as extending the use of postal voting and maintaining voting by conventional means at polling stations. Progress to this aim would be made through an expansive programme of e-voting pilots – for example, in widespread, e-abled local elections.

3.2 Electoral modernisation, however, is not limited to the development of multi-channelled e-enabled elections but also includes the development of a national electoral register, postal and e-voting, and appropriate change to the timing and location of elections. The Government believes that the careful piloting of such developments in an appropriately planned and evaluated programme is necessary to take electoral modernisation forward. It is in this context that the Government is promoting the current programme of piloting innovations at English and Welsh local elections, with particular emphasis at present on e-voting and all-postal voting.

4 The focus for the 2003 pilot schemes

4.1 The pilot schemes sought in 2003 are those which:

- make voting more straightforward for the public;
- make elections more accessible, either by making it more convenient to vote or by making voting more attractive to people currently less likely to vote;
- make the administration of elections more efficient and cost effective; and
- maintain or increase the level of security at elections.

4.2 Pilot schemes need to ensure that any new method of voting is at least secure, if not more secure than, conventional electoral practices. Any new systems must be robust and must attract public confidence if they are to succeed. All pilot schemes must also have a built-in means of testing the impact of the innovations – including the implications for security and fraud – and must incorporate plans

for promoting the pilot to the public.

4.3 The main focus of this and future pilot programmes will be innovations that have not been piloted, or where specific issues have not yet been tested fully. In particular, the Government would welcome applications to join a nationally co-ordinated set of electoral pilots to undertake one or more of the following:

Remote electronic voting: the channels the Government is seeking to test are:

- internet, from home, work or public access sites such as libraries etc.;
- interactive digital television;
- SMS text messaging; and
- touch-tone telephones, digital TV or electronic machines;

Other e-voting: from conventional polling station but where voters mark their choice electronically (perhaps on a touch sensitive screen) rather than on a paper ballot. This could be linked to internet systems.

e-counting of ballot papers as part of a wider, multi-channel electronic scheme.

Consideration should also be given to what measures can be taken to replicate traditional electoral practices, for instance by providing voters with an option to spoil their ballot. Pilots also need to incorporate mechanisms for quantifying the extent to which fraud or breaches of security were perpetrated or attempted and should include plans for promotion of the pilot, and means of testing electors' response to the pilot (e.g. exit polling or equivalent).

Postal voting (with or without e-counting) to cover **whole** council or constituency areas, and to include proposals which develop one or more of the following tests:

- alternatives to the traditional Declaration of Identity (i.e. the need for signature by both the elector and a witness);
- feasible mechanisms to be used to examine and quantify potential fraud and security breaches (other than relying on anecdotal evidence);
- a facility to provide replacement ballot papers on polling day where these have been lost;
- other innovations that investigate electoral efficiencies in postal voting.
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Provision of information to voters, through technical means (e.g. links between online or e-voting systems and web pages with information about candidates) or more traditional routes (e.g. a leaflet to all electors with information about the candidates);

Variations to the traditional voting period, to assess the potential benefits in permitting voting to take place over several days, either before or after the traditional Thursday polling day; and

Any other electoral innovations that will facilitate more convenient voting.

5 Funding Arrangements

5.1 The Government recognises that there may be instances where Councils wish to submit proposals based on previously tested procedures, and such proposals will be considered on their merits. As these and the other non-electronic pilots highlighted above do not have the kind of investment needs of the electronic pilots, there will be **no** Government funding for them. Proposals to combine all-postal voting with e-counting will **not** be centrally funded either.

5.2 The Government will, however, contribute to the costs of the e-voting pilots (£10 million for each of the years 2003/04, 2004/05 and 2005/06). Contributions will be towards the costs of the e-voting and e-counting services, i.e the provision by an approved IT partner of the whole service – hardware, software and processing. The current expectation for 2003 is that where agreed by the Office of the Deputy Prime Minister (ODPM), the Government funding contribution to successful applicant councils will cover these costs in full. The Government does not intend to contribute towards basic local authority costs for the purchase of IT equipment e.g. purchase of PC's or installation of permanent internet links (e.g. via broadband or ISDN to remote polling stations). Funding will, however, be available for the electronic element of a pilot combining e-voting with traditional methods e.g. telephone voting combined with an all-postal ballot.

5.3 Each successful e-voting pilot will be offered £5000 to support local publicity and marketing connected with the pilot.

5.4 The ODPM is co-ordinating the procurement of e-voting and e-counting services and is making formal requests for expressions of

interest in accordance with EC Procurement Directives. This exercise will establish a framework consisting of a number of companies or consortia capable of delivering solutions in the next three years. When this framework is in place (by mid-January 2003), councils will be able to select suppliers from the approved list to help them run e-voting and e-counting pilots, subject to approval by ODPM.

5.5 The Government also intends to make funding available to support e-voting pilots at local by-elections in 2003 and the framework of suppliers will be available to councils submitting such proposals.

6 Application Procedure

6.1 Applications should be submitted by **29th November**. Where applications do not depend on use of the ODPM framework (e.g. all-postal pilots), it is intended that the outcome can be announced by **18th December**. The results of electronic pilot applications are expected by **15th January, 2003**. ODPM will monitor all successful schemes and the Deputy Prime Minister reserves the right to withdraw approval, or to support a Returning Officer's decision to withdraw approval, from any pilot in the event of serious doubts arising as to the effectiveness or security of the election.

6.2 In line with the procedure adopted in the 2002 pilot programme, all proposals should ideally command broad cross-party support, i.e. have the support of two parties or more. Where this is not possible, the Government will seek detailed justification from the objecting party setting out the grounds for the objection before deciding on whether or not the proposal can be approved.

7 Issues to be considered

7.1 In considering the invitation to apply to run a pilot scheme, the Council will need to take a view initially on the value (and risks) of participation and then, if it considers that taking part would be worthwhile, determine the nature of its preferred scheme. The factors to be considered in assessing whether to submit an application include:

- a. the value of contributing to and influencing the Government's strategy for electronic modernisation. There may be advantages in piloting, with its attendant support from the ODPM and the Electoral Commission, compared with having to implement those procedures following legislation change at a later date, without the benefit of that wider support.

- b. the early opportunity to increase turnout locally and/or make voting easier locally. The Corporate Plan aims for an increase in turnout at City elections to 38% in 2004. (The turnout in 2002 was 31.7%). Based on experience at previous pilots, a higher figure would be likely to be achieved in 2003 if an all postal pilot were undertaken next May. An electronic scheme, while less likely to increase turnout significantly, would contribute towards the Council's e-government targets.
- c. the possible benefits of acquiring Government funded computer hardware and software. Such equipment, provided initially to support an e-voting pilot, could perhaps be used for other purposes e.g. local consultation exercises or means of communicating with local residents.
- d. the reaction of voters and candidates to new voting procedures. While e-voting using the internet, telephone etc. would widen choice (assuming conventional voting at a polling station were still available), a pilot involving e-voting at a polling station might alienate those who prefer to vote in the traditional way. An all-postal ballot, on the other hand, would limit choice to one method of voting and would have implications for candidates' canvassing methods.
- e. any proposed scheme would also have to be as secure as existing procedures while at the same time maintaining a degree of scrutiny to ensure free and fair elections. The security of e-voting systems would largely depend on the design of the technologies employed. Postal voting is perhaps more open to the possibility of fraud and the normal election rules do not provide for any means to check who has or has not voted by post. The provision of the equivalent of a marked polling station register is one aspect of a postal voting which could be piloted. This would then be open to scrutiny after the election. As a perceived deterrent to fraud, it is considered that the requirement for postal voters to sign a Declaration of Identity to accompany their ballot paper be retained, but the need for a witness signature could be dispensed with.
- f. financial implications. The nature of the pilot scheme would determine whether any additional costs would fall on the Council or indeed whether savings might be made. Because the majority of the e-voting trials would be designed to offer increased choice of voting method, rather than replace existing procedures, the overall cost of the election to the Council is likely to be largely neutral, given the funding arrangements outlined in section 5 above; the necessary hardware and software would be funded by Government but the usual election arrangements involving provision of polling stations and staff would still have to be made. Savings could be made if the votes were counted electronically as part of a total e-package.

The cost of an all-postal ballot would depend on whether the arrangements were made in-house or an external contractor engaged to carry out the ballot. It is possible that savings could be made in some rural wards where more polling stations are required to serve smaller electorates than in urban wards. Where commercial providers of balloting services have been employed in previous pilot exercises, the additional costs to the participating authorities have been significant.

- g. resource implications for the electoral and IT sections of the Council. It is likely that any e-voting pilot would run in parallel with a conventional election. This would put additional pressures on both the electoral and IT sections. An all-postal ballot, particularly one undertaken in-house, would also have a significant effect on the workload of electoral services.
- h. risk assessment. The responsibility for the efficient conduct of the election lies with the Returning Officer and he would need to be satisfied that the integrity of the election would not suffer by participating in a pilot scheme.

8 Conclusion

The Executive is requested to consider whether to recommend the Council to participate in the programme of electoral pilots in May 2003, and, if so, to indicate its preferred scheme so that officers might prepare a detailed application to the Office of the Deputy Prime Minister based on the agreed preference (or preferences).